

SHORT FATAWAS

THE RULING OF THOSE
WHO INSULT ALLAH AND
HIS MESSENGER

SHAYKH ABU BARA'A AS-SAYF



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Fatwa:

Question:

What is the ruling of the mutawaqif (i.e. one who withholds takfeer) of someone who insulted Allah?

Response:

Insulting Allah عز وجل is that which contradicts what is indicated by the Shahadatān of honouring Allah, His Messenger, His religion and His revealed Shari'ahs..

So the one who insults Allah is not excused with ignorance, because this ignorance is not imaginable (i.e. impossible to exist) in his right, thus he is a kafir even if he was ignorant.

As for the Mutawaqif (i.e. one who excuses him), there's not much room to give him an excuse because he is not like the one who doesn't make takfeer of someone who permitted alcohol or denied the prohibition of fornication..

If the mutawaqif acknowledges that to insult Allah is kufr, then withheld (making takfeer) of a specific individual (so and so) who insulted Allah, and he knows of his condition and that he insulted Allah, but refrained due to thinking there are valid preventatives/mawāni' present in his right, except ignorance because ignorance is not considered a valid preventative in the right of the one who insulted (Allah عز وجل), but (other preventatives) such as he (i.e. the one who insulted) is a child of the age of tameez, or that he was intoxicated, or that he was imprisoned and was under ikrah/compulsion to insult Allah due to his imprisonment, then there is a valid difference of opinion among the scholars regarding these matters of shar'i preventatives which prevents takfeer, so he is not made takfeer upon due to the presence of the difference of opinions regarding this matter which are mawāni'/preventatives sāigh (i.e. preventatives considered credible and valid by Shar'iah.)

However, if one withholds making takfeer of this particular individual with the excuse that he is ignorant that insulting (Allah) is forbidden, or is ignorant that

this is kufr, or he is ignorant of the Greatness of Allah, then this is a corrupt (invalid) doubt because ignorance is not imaginable for the one who insulted.

If this was due to the fact that he made ta'weel (misinterpretation) with shar'i texts, with ta'weel sāigh, (i.e. valid from a linguistic and knowledge based interpretation), and thus excused him with ignorance, then he is made takfeer upon after explanation and removing the doubt (which he misinterpreted) from those texts.

This is due to the statement of Allah, *{And Allāh would not let a people stray after He has guided them until He makes clear to them what they should avoid. Indeed, Allāh is Knowing of all things.}* [9:115]

If it is for other than ambiguity in the evidence by which his interpretation lead to him giving excuse of ignorance , or his ta'weel of the shar'i texts were not mustasāgh, (i.e. invalid according to Shari'ah) neither linguistically nor based on (shar'i) knowledge, then he is made takfeer upon immediately (i.e. before any explanation is given to him).

With regards to his ta'weel being mustashāgh, thus he being made takfeer upon after explanation (and clarifying the matter to him), or his ta'weel not being mustasāgh thus being made takfeer of immediately, is a mas'alah of ijtiḥad, and depends on the scholar or student of knowledge who is looking into and investigating the statement of the mutawaqif of the one who insulted (Allah) and his condition.. and no doubt, he must be of those well grounded in knowledge in this field..

Generally, if one refrained from making takfeer because of a corrupt (invalid) doubt, then it is looked into; if his doubt was due to his misinterpretation of the texts with a ta'weel mustasāgh (valid according to Shari'ah), then he is declared a kafir only after the matter is explained to him and the ambiguity is removed from him, but if his corrupt doubt was for other than misinterpretation of the text, or his ta'weel was not mustasāgh, then he is declared a kafir immediately.

And if he is unaware of his condition, or it hasn't been proven that the

particular individual insulted (Allah) by valid Shar'i proof, then he is not made takfeer upon except after he is made aware of his condition.

As for the one who refrains from making takfeer of a specific individual who insulted (Allah), and he is aware of his condition, without valid ta'weel, then he is declared a kafir immediately.

And all this in discussion is regarding the mutawaqif (i.e. one who excuses/doesn't make takfeer) of a particular individual who insulted Allah عز وجل.

والله أعلى وأعلم

Shaykh Abu Bara'a as-Sayf (حفظه الله)

Fatwa:

Question:

The one who insults the Prophet ﷺ, but (later) repents from his sin and confesses, is he to be killed, and what is his ruling after repentance?

And if he repents, is it true that his repentance is not accepted?

Answer:

Yes, the one who insults the Prophet ﷺ is to be killed, as it is the hadd/limit/punishment (of Shar'iah) even if he repents..

But he will be killed as a Muslim after his repentance, if it is proven before a shar'i Qādhī/judge that he insulted the Prophet ﷺ. He is similar to the one who intentionally murders another Muslim, or the married person who commits adultery.

Thus, he is washed, shrouded and buried in Muslim cemeteries.

However, if he does not repent he is killed upon apostasy.

For further detailed evidence regarding this matter, review what Shaykh al-Islam ibn Taymiyyah (may Allah have mercy on him) wrote in his book (As-Sarim al-Maslul 'ala Shatim ar-Rasul/The Drawn Sword against those who insult the Messenger ﷺ.)

والله أعلى وأعلم.

Shaykh Abu Bara'a as-Sayf (حفظه الله)

Fatwa:

Question:

Regarding the killing of someone/Hindus from India who insult the Prophet ﷺ, do the Hindus living in Khurasan have a share in being killed for that?

What is the crime of the Hindus residing in Khurasan have to do with the one who himself insulted the Prophet ﷺ?

Response:

Their crime is that they are kuffar..

Enough it is that they disbelieve in Allah, insulting, cursing, and ridiculing Allah سبحانه وتعالى, Who Created them and Provides for them.

And the Prophet ﷺ killed the males of Banu Quraydhah who had grown pubic hair who were fighters, and he enslaved their women and offspring, even though those who broke the covenant with him were their leaders and their elders, as it was mentioned in the Sahihayn and others..

So what was the fault of the remaining males of Banu Qurayza and those from them who had just reached puberty, and the Prophet ﷺ killed them?!

So these are doubts/shubuhāt which are found in the one whose heart has a disease, may Allah protect us and you.

والله أعلم

Shaykh Abu Bara'a as-Sayf (حفظه الله)

Fatwa:

Question:

السلام عليكم ورحمة الله وبركاته

Is the one who insults Allah killed or made to repent and if he repents is he still killed as is the hadd/limit?

Also if we're in dar al-kufr/lands of kufr and someone insults (Allah), do we kill him or leave him alone?

Response:

وعليكم السلام ورحمة الله وبركاته

Whoever insults Allah is a kafir. If he is in dar al-Islam and the matter was raised to a Qudhā/judges, then it is up to the Qādhi to make him repent or to kill him without (the option) to repent, according to the best interest of the muslimmeen.

If insulting Allah has increased in a given place, then it is up to the Imam or Qādhi to not (give him the option) of repentance and to kill him immediately if it has been proven that he insulted Allah, so that the people cease to do so - as was practiced in dar al-Islam in Ash - Sham in 2015 - and if insulting Allah has decreased among the people, then he is made to repent..

Regarding (the option of) repentance, the scholars have disagreed in their views, as some said it is wajib/obligatory, some said mustahab/recommended, some said it is referred to the Imam/Khalifa to do that which is most suitable and in the best interest of the muslimmeen, while others have said there is no (option) of repentance in the religion (with regards to this matter).

The rājih/selected correct (opinion) is the opinion of those who said it must be

referred to the Imam to do what is in the best interest for the muslimmeen. The most authentic of what has been reported regarding istitābah (giving the option of repentance) is what has been reported on the authority of Sa'eed bin Mansur in his sunan, with an authentic chain of transmission, on the authority of Umar bin al-Khattāb (may Allah be pleased with him) that he preferred the repentance of the (tribe) of al-Bakriyyeen before they were killed, when he received the news of their killing.

Review the book, (Sahih al- Fiqh wa-Adillatihi) by Abu Malik Kamal bin Sayyiid Sālim, chapter: riddah/apostasy as there is (further) detail..

And review al-Mawsū'ah al-Fiqhiyyah al-Kwaytiyyah, section; (riddah/apostasy)

والله أعلى وأعلم

Shaykh Abu Bara'a as-Sayf (حفظه الله)

Fatwa:

Question:

What is the ruling of the one who insults the Companions, (may Allah be pleased with them)?

Answer:

Allah, Glory be to Him, praised the companions of the Messenger of Allah عليه الصلاة والسلام in his Book, in more than one verse.

From that is the statement of Allah, {And the first forerunners [in the faith] among the Muhajireen and the Ansar and those who followed them with good conduct - Allah is pleased with them and they are pleased with Him, and He has prepared for them gardens beneath which rivers flow, wherein they will abide forever. That is the great attainment.} [Tawbah:100]

And His statement: {Muhammad is the Messenger of Allah. And those with him are firm with the disbelievers and compassionate with one another. You see them bowing and prostrating 'in prayer', seeking Allah's bounty and pleasure. The sign 'of brightness can be seen' on their faces from the trace of prostrating 'in prayer'. This is their description in the Torah. And their parable in the Gospel is that of a seed that sprouts its 'tiny' branches, making it strong. Then it becomes thick, standing firmly on its stem, to the delight of the planters in this way Allah makes the believers a source of dismay for the disbelievers. To those of them who believe and do good, Allah has promised forgiveness and a great reward.} [Fat'h 29].

And His statement, {But the Messenger and those who believed with him fought with their wealth and their lives. Those will have [all that is] good, and it is those who are the successful.} [Tawbah:88]

Whoever insults the Companions after Allah has praised [their purity] in his Book are of two types, (according to the following):

1/ Whoever insults them for their religion and their justice [taqwa in Deen] such as one who calls them disbelievers or fussaqa or innovators or accuses them of their honesty and so on, then he is a disbeliever because it is a form of belittling Allah عز وجل and that He is pleased with disbelievers, fasiqeen, innovators or with the treacherous. We seek refuge in Allah from this.

2/ Whoever insults them and does so in a manner that does not insult them for their religion, such as one who describes them as cowards, misers, fools or the likes, then this is a fasiq person ...who will be reprimanded and he has no share in the fay [i.e. booty gained without battle.]

Due to the statement of Allah in which He mentioned the categories of those who are deserving of fay: *{And those who come after them will pray, "Our Lord! Forgive us and our fellow believers who preceded us in faith, and do not allow bitterness into our hearts towards those who believe. Our Lord! Indeed, You are Ever Gracious, Most Merciful."}* [Hashr:10]

And the evidence for the prohibition of cursing and insulting them is what came in the two Sahihs, and the wording of Muslim is that he said: (Uthmān bin Abi Shayba narrated to us, he said Jarir narrated to us on the authority of A'mash on the authority of Sālih on the authority of Sa'eed that there was some altercation between Khalid bin Walid and Abd al-Rahman bin 'Auf and Khalid insulted him. Thereupon Allah's Messenger (ﷺ) said, *"None should insult my Companions for if one amongst you were to spend as much gold as Uhud, it would not amount to as much as one mudd of one of them or half of it."*

The same applies to the general prohibition of insulting the believers, especially the Companions, (may Allah be pleased with them) and that it is from fisq to do so, as it was reported in the two Sahihs and the wording of Al-Bukhari that he said, "Muhammad bin 'Ar'arah narrated to us, he said Shu'bah narrated to us on the authority of Zubayd, he said, *"I asked Aba Wā'il about Murji'ah so he replied, 'Abdullah narrated to me that the Messenger of Allah ﷺ said: "Defaming a Muslim is evildoing/fisq and fighting him is Kufr."* [End]

والله أعلم

Shaykh Abu Bara'a as-Sayf

Fatwa:

Question:

السلام عليكم ورحمة الله وبركاته

Is it permissible to kill the one who continuously insults Allah and doesn't pray?

*He is from the sahawwat (a Syrian based apostate group), and he resides close to us, and his killing would be completed without anyone knowing.
Please give evidence.*

Answer:

It is permissible to kill him. Rather, the one who is able to so is obliged to, if he is able to deal with the responsibility of killing him.

Because he is a kafir; an enemy of Allah and His Messenger by insulting them.

Allah Ta'āla says; {Whoever is an enemy to Allāh and His angels and His messengers and Gabriel and Michael - then indeed, Allāh is an enemy to the disbelievers.} [2:98]

And he is a kafir because he has abandoned the Salah.

It has been reported in Sahih Muslim, he said: "Yahya bin Yahya at-Tamimi narrated to us, and Uthman bin Abi Shaybah both of them, on the authority of Jarir, that Yahya said, Jarir informed us on the authority of A'mash on the authority of Sufyan, he said i heard Jabir say, "I heard the Prophet ﷺ say: "Verily between man and between polytheism and unbelief is the negligence of prayer."

And to kill the kuffar is a matter which the Shari'ah has commanded, and the

last of what was revealed upon the Prophet ﷺ regarding the kuffar and mushrikeen were the verses of Jihad, wherein Allah says: *{And when the sacred months have passed, then kill the polytheists wherever you find them and capture them and besiege them and sit in wait for them at every place of ambush. But if they should repent, establish prayer, and give zakāh, let them [go] on their way. Indeed, Allāh is Forgiving and Merciful.}* [Tawbah:5]

It has also been reported in Sahih al-Bukhari on the authority of Ibn Abbas (may Allah be pleased with them), he said: "The Prophet ﷺ said: (*"He who changes his religion (i.e. apostates) kill him."*)

والله أعلى وأعلم

والحمد لله رب العالمين